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23 NOV 2005

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, AUSTRALIA 2041

In re Application of SILVERBROOK	:	
U.S. Application No.: 10/509,998	:	
PCT Application No.: PCT/AU02/00774	:	
Int. Filing Date: 14 June 2002	:	DECISION
Priority Date Claimed: 12 April 2002	:	
Attorney Docket No.: YU183US	:	
For: PROCESSING OF IMAGES FOR HIGH	:	
VOLUME PAGEWIDTH PRINTING	:	

This is in response to applicant's "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 13 October 2005.

**BACKGROUND**

On 14 June 2002, applicant filed international application PCT/AU02/00774, which claimed priority of an earlier United States application filed 12 April 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 23 October 2003. The thirty-month period for paying the basic national fee in the United States expired on 12 October 2004.

On 05 October 2004, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, a check in the amount of \$1,080.00 for the basic national fee and an assignment recording.

On 21 March 2005, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to file the full basic national fee.

On 14 April 2005, applicant filed a petition under 37 CFR 1.181.

On 15 September 2005, this Office mailed a decision dismissing the 14 April 2005 petition.

On 13 October 2005, applicant filed the present petition under 37 CFR 1.137(b).

### DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 14 June 2002, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 October 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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